

From: [Terry Andrews](#)
To: [Moore, Gary](#)
Subject: CES stuff
Date: Wednesday, October 01, 2014 1:15:43 PM

Hi Gary,

I tried calling you yesterday afternoon and again this morning. I couldn't leave a message because "you haven't set your mailbox up yet".

Couple of things:

- 1) Regarding TCEQ disposal of waste. I have talked with Amandeep (CB&I) and he is getting me a start-up proposal today and he'll be working on a cost proposal for waste disposal next week.
- 2) As I mentioned yesterday, our PRP information request letters have sparked some interest about "PRPs stepping in for the removal" and we would like to have some kind of meeting or webcast in a couple of weeks where we would provide information about the site and the PRPs would be able to ask questions. We imagine that the EPA will want to attend and be involved and we are seeking your ideas about the subject.
- 3) Regarding your request about the environmental fee - the disposal of CES waste by EPA during the removal action is exempt. Check out [THSC § 361.136](#). I've copied and pasted the relevant provision below for your reference and convenience. You or your contractor should be able to get the fee waived by simply showing them this statute. If you need something from me, like a letter stating this, then let me know.

Sec. 361.136. INDUSTRIAL SOLID WASTE AND HAZARDOUS WASTE MANAGEMENT FEE. (a) Except as provided by Subsections (e) through (i), a fee shall be imposed on the owner or operator of a waste storage, processing, or disposal facility for industrial solid waste and hazardous waste that is managed on site. This fee is in addition to any other fee that may be imposed under this chapter.

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(i) The storage, processing, or disposal of industrial solid wastes or hazardous wastes generated in a removal or remedial action accomplished through the expenditure of money from the hazardous and solid waste remediation fee account or generated in a removal or remedial action in this state conducted by the United States Environmental Protection Agency shall be exempt from the assessment of a waste management fee under this section.

Thanks,
Terry